

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

IN RE WORLD TRADE CENTER
DISASTER SITE LITIGATION

BARBARA NIEWOJT, AS ADMINISTRATOR OF THE
GOODS, CHATTELS AND CREDITS OF SLAWOMIR
LEJTMAN, DECEASED,

Plaintiff,

v.

233 BROADWAY OWNERS, LLC, et al

Defendants

21 MC 102(AKH)

DOCKET NO.

08 cv 5709 (AKH)

08 cv 6128 (AKH)

NOTICE OF MOTION

PLEASE TAKE NOTICE that on a day to be determined by this Court, Plaintiff BARBARA NIEWOJT, AS ADMINISTRATOR OF THE GOODS, CHATTELS AND CREDITS OF SLAWOMIR LEJTMAN, DECEASED, shall apply to the Honorable Alvin K. Hellerstein, United States District Judge, at the Southern District of New York located at 500 Pearl Street, New York, New York, Room 14-D for an Order:

- a) if appropriate at this time, to dismiss case 08 cv 6128 (the “City” defendants action) with respect to all defendants in that action, thus the City of New York, New York City Department of Education, and the New York City School Construction Authority, as the plaintiff has obtained this Court’s approval to settle that lawsuit against all those entities, and
- b) re-open docket number 08 cv 5709 (the non-“City” defendants action) with respect to all defendants therein, as there is no settlement with reference to any of them and that action is continuing.

PLEASE TAKE FURTHER NOTICE that in support of this motion, Plaintiff relies upon the attached Declaration of Robert A. Grochow.

Dated: New York, New York
November 8, 2012

Gregory J. Cannata and Associates

By: /s/
Robert Grochow, Esq.
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To: Defendants, ECF Notification